



IFW

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/705,216
Filing Date	November 7, 2003
First Named Inventor	Louis G. Kovach
Art Unit	2173
Examiner Name	Unassigned
Attorney Docket Number	021755-000200US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	USPTO forms SB08A & SB08B (two pages), copies of 27 cited non-patent references, Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Paul C. Haughey		
Date	7-29-05	Reg. No.	31,836

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Roger Hylton
Date	8/1/05

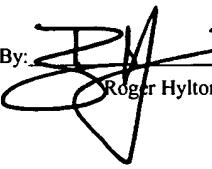
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 021755-000200US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On August 1, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: 

Roger Hylton



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Louis G. Kovach, II, et al.

Application No.: 10/705,216

Filed: November 7, 2003

For: EXPANDING INSTRUCTION SET
USING ALTERNATE ERROR BYTE

Examiner: Unassigned

Art Unit: 2173

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

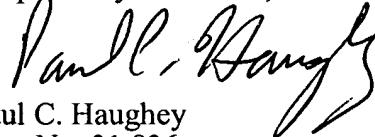
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the cited non-patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Paul C. Haughey
Reg. No. 31,836

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
PCH:rnh
60527353 v1



TRADEMARK OFFICE for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10/705,216
				Filing Date	November 7, 2003
				First Named Inventor	Louis G. Kovach
				Art Unit	2173
				Examiner Name	Unassigned
Sheet	1	of	4	Attorney Docket Number	021755-000200US

U.S. PATENT DOCUMENTS*					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US-2005/0023416	02-03-2005	Wolf et al.	
	2	US-2004/0239268	12-02-2004	Grubba et al.	
	3	US-6,765,356	07-20-2004	Denen et al.	
	4	US-6,747,579	06-08-2004	Ireland	
	5	US-6,729,584	05-04-2004	Ireland	
	6	US-2004/0079841	04-29-2004	Wolf et al.	
	7	US-6,662,917	12-16-2003	Wolf et al.	
	8	US-6,655,640	12-02-2003	Wolf et al.	
	9	US-6,624,537	09-23-2003	Westlake	
	10	US-6,619,594	09-16-2003	Wolf et al.	
	11	US-6,604,641	08-12-2003	Wolf et al.	
	12	US-2003/0142796	07-31-2003	Ames	
	13	US-2003/0127570	07-10-2003	Ireland	
	14	US-6,545,886	04-08-2003	Ireland	
	15	US-6,539,292	03-25-2003	Ames	
	16	US-6,536,716	03-25-2003	Ireland et al.	
	17	US-6,533,223	03-18-2003	Ireland	
	18	US-6,533,224	03-18-2003	Ireland	
	19	US-6,513,763	02-04-2003	Ireland	
	20	US-2003/0015626	01-23-2003	Wolf et al.	
	21	US-6,491,263	12-10-2002	Sung et al.	
	22	US-6,485,347	11-26-2002	Grubba et al.	
	23	US-6,457,681	10-01-2002	Wolf et al.	
	24	US-6,441,570	08-27-2002	Grubba et al.	
	25	US-6,367,742	04-09-2002	Ireland	
	26	US-6,318,678	11-20-2001	Ireland	
	27	US-6,281,606	08-28-2001	Westlake	
	28	US-6,275,739	08-14-2001	Ireland	
	29	US-2001/0005001	06-28-2001	Ireland	
	30	US-6,220,552	04-24-2001	Ireland	
	31	US-6,019,289	02-01-2000	Sung	
	32	US-5,749,547	05-12-1998	Young et al.	
	33	US-5,638,522	06-10-1997	Dunsmuir et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴			

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10/705,216
				Filing Date	November 7, 2003
				First Named Inventor	Louis G. Kovach
				Art Unit	2173
				Examiner Name	Unassigned
Sheet	2	of	4	Attorney Docket Number	021755-000200US

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴			
no foreign patents cited in this IDS						

Examiner Signature		Date Considered
--------------------	--	-----------------

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				Complete if Known	
				<i>Application Number</i>	10/705,216
				<i>Filing Date</i>	November 7, 2003
				<i>First Named Inventor</i>	Louis G. Kovach
				<i>Art Unit</i>	2173
				<i>Examiner Name</i>	Unassigned
Sheet	3	of	4	<i>Attorney Docket Number</i>	021755-000200US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	34	"Astrac lets you control 5 trains on one track, in different directions, at different speeds-simultaneously," product advertisement from General Electric Corporation in Model Railroader magazine (November 1963).		
	35	"DCC (Digital Command Control) Standards & Recommended Practices," National Model Railroad Association, Inc. (March 1997 - July 2004).		
	36	GUTIERREZ "Introducing the CTC-16: A 16-channel command control system you can build Part 1," Model Railroader pp. 64-67 (December 1997).		
	37	GUTIERREZ "The CTC-16: A 16-channel command control system you can build Part 2," Model Railroader pp. 86-93 (January 1980).		
	38	GUTIERREZ "The CTC-16: A 16-channel command control system you can build Part 3," Model Railroader pp. 89-92 (February 1980).		
	39	GUTIERREZ "The CTC-16: A 16-channel command control system you can build Part 4," Model Railroader pp. 89-93 (March 1980).		
	40	GUTIERREZ "The CTC-16: A 16-channel command control system you can build Part 5," Model Railroader pp. 71-77 (April 1980).		
	41	GUTIERREZ et al. "The CTC-16: epilogue," Model Railroader pp. 132-136 (December 1980).		
	42	GUTIERREZ "Build the wireless throttle 1," Model Railroader pp. 86-95 (March 1983).		
	43	GUTIERREZ "Build the wireless throttle 2," Model Railroader pp. 68-75 (April 1983).		
	44	"Infrared Control Unit," Model Railroader pp. 54-56 (March 1991).		
	45	PUSSEL µP-programmable speed controller for model railways," Elektor (July/August 1979).		
	46	SPERANDEO "Commercial Command Control Systems," Model Railroader pp. 80-81 (November 1979).		
	47	WESTCOTT "Is Astrac on the right track?" Model Railroader pp. 33-37 (December 1963).		
	48	WIGMORE "The Digital Model Train Part 1 , " Elektor Electronics pp. 42+46 (February 1989).		
	49	WIGMORE "The Digital Model Train Part 2 , " Elektor Electronics pp. 50-53 (March 1989).		

Examiner Signature	Date Considered
--------------------	-----------------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Application Number</i>	10/705,216
				<i>Filing Date</i>	November 7, 2003
				<i>First Named Inventor</i>	Louis G. Kovach
				<i>Art Unit</i>	2173
				<i>Examiner Name</i>	Unassigned
Sheet	4	of	4	<i>Attorney Docket Number</i>	021755-000200US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	50	WIGMORE "The Digital Model Train Part 3 , " Elektor Electronics pp. 14-18 (April 1989).		
	51	WIGMORE "The Digital Model Train Part 4 , " Elektor Electronics pp. 16-17 (May 1989).		
	52	WIGMORE "The Digital Model Train Part 5 , " Elektor Electronics pp. 56-59 (July/August 1989).		
	53	WIGMORE "The Digital Model Train Part 6 , " Elektor Electronics pp. 44-47 (September 1989).		
	54	WIGMORE "The Digital Model Train Part 7 , " Elektor Electronics pp. 21-24 (October 1989).		
	55	WIGMORE "The Digital Model Train Part 8 , " Elektor Electronics pp. 32-36 (November 1989).		
	56	WIGMORE "The Digital Model Train Part 9 - Keyboards , " Elektor Electronics pp. 24-28 (December 1989).		
	57	WIGMORE "The Digital Model Train Part 10 – RS232 Interface," Elektor Electronics pp. 38-43 (January 1990).		
	58	WIGMORE "The Digital Model Train Part 11 – The Monotor Unit," Elektor Electronics pp. 53-55 (February 1990).		
	59	WIGMORE "The Digital Model Train Part 12 – Address Display," Elektor Electronics pp. 52-54 (March 1990).		
	60	WIGMORE "The Digital Model Train Concluding Part," Elektor Electronics pp. 24-26 (April 1990).		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.